

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED
OCT 2 1995
FCC MAIL ROOM

In the Matter of

Amendment of Part 95 of the Commission's
Rules to Establish a very short distance
two-way voice radio service

WT Docket No. 95-102

DOCKET FILE COPY ORIGINAL

COMMENTS TO NOTICE OF PROPOSED RULE MAKING

Filed by: **Michael F. Troy (KAF4472, AJ1J)**
MA 9/28/95 **27 Mechanic Street**
Carmel, NY 10512-2211

The undersigned, a licensee in the General Mobile Radio Service, respectfully requests the Commission to consider the following comments on the Notice of Proposed Rule Making (RM-8489) in this Docket.

I believe that a low-power, unlicensed "Family Radio Service" should not be interspersed in the GMRS channels, considering that **(a) much bandwidth is already available for the unlicensed services; (b) petitioner's claim of a burgeoning public demand for an FRS has not been demonstrated; and (c) the previous history of rules compliance in the unlicensed services clearly demonstrates that an FRS will not produce the optimistic results that the Commission projects, but rather it will devolve itself and the service it overlays.**

In support of which, the following is respectfully submitted.

No. of Copies rec'd 021
List ABCDE

The undersigned is licensee of GMRS station KAF4472 at Carmel, New York, reviving an interest begun with a Class B (465 mhz) license, KAK0464, over 30 years ago. I also held a Class D (27 mhz) license, KBI2504, from 1963 to 1983. I am an Amateur Extra Class licensee, AJ1J, ticketed since 1961, and experienced in the construction and operation of repeater systems. I hold an industry equivalent to the Second Class Radiotelephone Operator license. I was a mobile radio staff engineer at New York Telephone.

(a) SUFFICIENT BANDWIDTH FOR FRS IS ALREADY AVAILABLE.

Unlicensed operation has access to considerable bandwidth across the spectrum. Stores such as petitioner Tandy's are currently selling legal, unlicensed transmitters on the 27, 49, 88, 170 and 902 mhz bands. Applications include two-way communication, FM mini-broadcast, TV and stereo links, wireless microphones and cordless telephones.

The proposed count of 14 channels, occupying 12.5 khz each for a total 175 khz, could be located in the existing 900 mhz unlicensed-emitter allocation, with insignificant effect on any licensed services. If the goal is to "establish a very short distance two-way voice radio service", why should it not be placed in a band that already has the technology and the bandwidth and existing unlicensed operation ?

(b) ALLEGED DEMAND FOR FRS IS NOT APPARENT.

I question the suggestion that the public is waiting for the Family Radio Service. If there is a ground swell of public demand for flea-power transmitters that won't go around hills and buildings, and specifically in the GMRS band, I've somehow missed noticing it.

To my knowledge, GMRS portables have not been a big consumer hit, even among existing licensees. Aside from the poor transmission range, an obvious deterrent would be licensing -- a complicated form and a \$60 fee. An obvious purpose for seeking this Rule Making would be to eliminate the form and reduce the effective price to the consumer by \$60, and thereby sell more radios. This would also account for the support of TIA, Motorola and Maxon.

The Commission should note that there is no support from the Personal Radio Steering Group or the GMRS licensees, both of which would benefit from a simplification of the licensing process and reduced equipment costs.

I feel that licensing has some value in deterring users from unprincipled operation, because they stand to lose something.

(c) RULES COMPLIANCE IS POOR IN UNLICENSED SERVICES.

In the NPRM (at 11), the Commission has specifically requested commentary "regarding the sufficiency of the proposed technical standards." One would hope that the technical standards are quite tight, since the NPRM (at 10) makes it clear that they are the only protection offered to GMRS by the Commission, with virtually no enforcement.

The Commission's original proposal for a UHF Citizens allocation (what is now GMRS) included a realistic commitment to support licensees in the event of interference from other legitimate shared users

A license in this service does not guarantee the right to a channel; it affords rather an opportunity to share with others the use of the band. ... In the event that intolerable abuses arise, the Commission will of course take steps to eliminate them. ... The Commission is prepared to cooperate with local groups which may be formed in the working out of cooperative arrangements and it will resort to limiting regulations only in the event that an imperative need is shown. (Docket 6651, Jan. 15, 1945.)

In the fifty years since, the Commission's major action in response to crowding and interference in this band was to take channels away from open use to create new industrial subbands, reducing the "family" band from a 10 mhz segment to what we presently have.

Today, with budgetary limitations, the Commission cannot monitor the service to enforce the new rules. Most interference reports result from CB operation; yet, FRS would be initiated in conjunction with CB (within Part 95), and if troubles are reported, the Commission does *not* intend to respond to most interference complaints

That is not very reassuring to a GMRS licensee. Consider the rules compliance in the 27 mhz CB. Power levels are generally ignored, and the 40-channel band has spread out over more than 1 mhz. The same degree of non-compliance on FRS would result chaos: large antennas and illegal power, bootleg repeaters and interconnect (thanks to the 5 mhz split in allocations), and intrusion into GMRS and other high-power channels

That is **not** my concept of a "Family Radio"

Regarding the proposed technical standards

- 1) The proposed 12.5 khz bandwidth (11K0F3E emission), **if maintained**, would be proper for the GMRS channel spacing. In this matter, I believe the Personal Radio Steering Group is not calculating bandwidth properly in endorsing 20 khz-wide signals on 12.5 khz channel spacing; it makes no sense.

- 2) Co-channel FRS interference to low-power GMRS on 462 mhz can be alleviated by changing channels.

However:

- Adjacent channel interference to a 462 mhz high-power GMRS channel is a serious problem; the GMRS licensee only gets two such channels, by law.
- Adjacent channel interference to 467 mhz GMRS mobile relay inputs is a fatal problem, since a mobile relay cannot change channels. This might be why the interstitial channels on 467 mhz were left vacant in the first place.

To further complicate matters, since the interferors would be unlicensed, the GMRS user could not legally communicate with them, to let them know they are interfering.

- 3) Limits of a half-watt carrier power and a unity-gain antenna, **if maintained**, would properly restrict the range of the units. Still, it is possible for even a low-power signal to capture a nearby adjacent-channel receiver. A mobile relay user would be at a distinct disadvantage if the relay is susceptible to capture.

It would be a fine world if everyone acted as ideally as the theoretical FRS users. But, just as unsupervised children in undirected play will not act like adults, experience has shown that unlicensed radio users act exactly as they wish, and particularly when they are not monitored or punished.

There is no demand for a Family Radio Service. If it must be created at all, it should not be placed amid a licensed service that will suffer from it.

Wherefore, the premises being considered, the Commission is respectfully requested to terminate the Family Radio Service proposal without action.

Respectfully submitted,


Michael F. Troy